

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- May 18, 1966

Appeal No. 8751 D.C. Redevelopment Land Agency, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on May 31, 1966.

EFFECTIVE DATE OF ORDER -- July 28, 1966

ORDERED:

That the appeal for a variance from the side yard requirements of the R-5-C District, variance from the provisions of Section 1202 (Definition of building) to permit three (3) groups of single family dwellings with divisions walls from the ground up to be constructed as a building, and for roof structures in accordance with the provisions of Section 3308 at the southwest corner of North Capitol Street and M Street, NW., lots 836, 837, 838, 23, 816, 237, 817, 818, 819, 820, 821, 60, 61, 62, 822, 858, 880, 877, 879 and street proposed to be closed, square 620, be conditionally granted.

FINDINGS OF FACT:

- (1) Appellant's property is located in an R-5-C District.
- (2) The property is being developed by the National Capital Housing Authority in the Northwest Number One Urban Renewal Area.
- (3) Appellant proposes to erect three groups of single-family dwellings with division walls from the ground up which would be constructed as a single building. Appellant states that single family dwellings with side yards would cost more per unit. The architectural board advising RLA thought it undesirable to build units that could be accessible from each other.
- (4) Appellants also propose to erect a high rise building on the site. According to appellant, its board of consultants suggested "that maintaining an unbroken vertical plane on the roof towers would be preferable to the alternative of adding an inclined plane and staying within the zoning envelope."
- (5) The area of appellant's lots is 105,874 square feet.

(6) This roof structure appeal is granted under plan by Cohen, Haft, AIA & Associates, architects, drawings A-6 and A-9. The drawings are approved for roof structures on Building #1 as signed by Arthur P. Davis, member of the Board on May 24, 1966.

(7) The roof structures will be constructed of material identical in appearance to that used on the street frontage of the building.

(8) No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that appellant has justified a variance from the side yard provisions of the R-5-C District and that the granting of this variance will have no adverse affect upon the public good or substantially impair the purpose, intent or integrity of the zone plan as embodied in the Zoning Regulations and Map. The Board's approval of the variance is conditioned upon the maintenance of the property as a unit and that no part thereof shall henceforth be subdivided or sold in fee simply without the approval of the Board.

The roof structures on the proposed apartment building will harmonize with the street frontage of the building, in architectural character, material, and color. The proposed roof structures are in harmony with the purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property.